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April 1, 2009

Bruce Wolfe, Executive Officer
California Regional Water Quality Control Board, San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

Re: City of Concord Comments on the San Francisco Bay Regional Water Quality Control Board's February 11, 2009 Revised Tentative Order for the Municipal Regional Permit

Dear Mr. Wolfe:

This letter provides the City of Concord's written comments on the San Francisco Bay Regional Water Quality Control Board staff's February 11, 2009 Revised Tentative Order for the Municipal Regional NPDES Permit (MRP). We are writing to support the comment letters submitted by the Contra Costa Clean Water Program and the Bay Area Stormwater Management Agencies Association (BASMAA) regarding the draft Municipal Regional Permit. Although much hard work has been done by these two agencies and by the City of Concord, significant corrections still need to be made to the draft permit. The following issues are added to those already described by BASMAA in their letter dated March 31, 2009 and the Contra Costa Clean Water Program, in their letter dated April 3, 2009.

1. Lack of Prioritization

The City's comments in December 8, 2006 and February 29, 2008 were that the permit requirements should be prioritized. What is the most important part of the permit? What are we hoping to accomplish? This is still not clear. Board staff once stated that "Everything in the permit is a #1 priority." If everything becomes a priority, nothing is a priority.

2. Excessive Monitoring Requirements

The monitoring section (C.8) in the proposed permit would be the most expensive to implement. That is because many of the monitoring requirements are excessive. Measuring things like dissolved oxygen, temperature, electrical conductivity, pH may be nice to know from a scientific standpoint but are not logically a part of a municipal

pollution prevention program. The City would be required, for instance, to measure, record and report to the Regional Board every year digital temperature readings at four locations every 60-minutes from April through September. What would this tell the Board about how we are complying with our NPDES permit? If the State wants scientific data, they should collect it through the State-wide Surface Water Ambient Monitoring Program, where it rightly belongs, not put this on the backs of local municipalities.

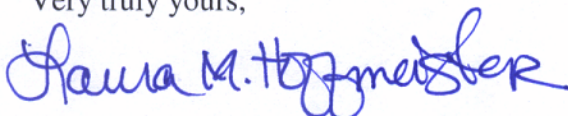
3. Unnecessary Reporting Requirements

The proposed permit has over 100 new reports, databases, tabular files, inspections and records. Almost every page of the 191 page permit specifies something the City would have to start maintaining or sending to the Regional Board. The City's 2007-2008 annual report that was sent to the Regional Board in August was excessively long, at 1,200 pages. The proposed permit would expand reporting requirements even more. The permit writer for Contra Costa County gets 21 of these reports every year from all the municipalities. The proposal to expand reporting requirements does not gain anything.

The important thing is to make as much improvement in water quality as possible with the resources we have available. Whatever we do to reduce reporting, recordkeeping, inspecting, and monitoring will free up resources to do things that have a real impact like creek repair, drainage systems maintenance, and public education. As the Board is well aware, our stormwater program has a limited budget and faces significant economic, procedural, and political restrictions to increasing budgets to address new permit requirements – we need and are prepared to support a permit that is affordable. **We need a smarter permit – one that is affordable, cost-effective, based on a real prioritization of objectives/new requirements, reflects a phased approach to addressing them in the next five years and across several future permit terms, and provides the biggest environmental benefit-for-the-buck.**

Thank you for this opportunity to comment on the proposed permit. I look forward to working with you to make the Municipal Regional Permit both effective in reducing pollution and efficient to implement. Please don't hesitate to contact me if you have any questions.

Very truly yours,



Laura M. Hoffmeister
Mayor